Calendar No. 1361

82D CONGRESS, 2d Session | SENATE | REPORT No. 1425

YOKO TAKEUCHI

APRIL 8 (legislative day, APRIL 2), 1952.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4788]

The Committee on the Judiciary, to which was referred the bill (H. R. 4788) for the relief of Yoko Takeuchi having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant a waiver of the racial barrier to admission into the United States in behalf of the minor Japanese stepchild of a United States citizen. The child would be considered to be a non-quota immigrant which is the status normally enjoyed by an alien minor child of United States citizens.

STATEMENT OF FACTS

The beneficiary of the bill was born in Japan on March 31, 1943. She is residing with her Japanese mother and United States citizen stepfather, who is an honorably discharged veteran of World War II presently employed in a civilian capacity by the Army in Tokyo. The mother of the child is eligible to enter the United States under the provisions of Public Law 6 of the Eighty-second Congress.

Congressman Leroy Johnson, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives, the following information in connection with the bill:

GENERAL HEADQUARTERS, FAR EAST COMMAND,
OFFICE OF THE COMMAND STAFF JUDGE ADVOCATE,
APO 500, July 28, 1951.

In re Harry Tokumura.

Hon. LEROY JOHNSON,
House of Representatives, Washington, D. C.

DEAR MR. JOHNSON: In compliance with your letter of July 11, 1951, affidavit (enclosure 1) has been prepared, executed in duplicate, and is herewith enclosed, together with certified copies of honorable discharge and WD AGO Form 87 (enclosure 2 and 2 [1]), which furnishes proof of military service. The family register in Japan constitutes the only public record of births, marriages, divorces, and deaths. I enclose herewith, for your information, the section of the Civil Code of Japan pertinent to divorce by agreement (enclosure 3) such as was procured by Mr. Tokumura's wife from her former husband, Kozo Ueno. The original transcript (enclosure 4) bears the seal of the registrar and an English translation (enclosure 4 [1]), in affidavit form, is attached to same. Photostat copy of certificate of witness to marriage (enclosure 5), in compliance with section 72, title 22, of the United States Code, issued by the American consular service, Tokyo, Japan, is also enclosed, together with medical certificate (enclosure 6) showing that the child, Yoko, is free from communicable disease; also three letters (enclosures 7, 8, and 9), character references and financial statement, are enclosed for your information.

It is noted from H. R. 4788, July 12, 1951, introduced by you, that Yoko is referred to as being a minor half-Japanese child, under the care of Mr. and Mrs. Harry Tokumura, both citizens of the United States, residing temporarily in Japan. When Mr. Tokumura came to this headquarters on July 2, 1951, he stated he had had previous correspondence with you and, when our letter was addressed to you on that date, we were under the impression that Mr. Tokumura had given you all the facts. Mrs. Tokumura is a Japanese national, as was her former husband, Kozo Ueno, and the minor child, Yoko, is a Japanese national. It will be appreciated if you will amend this bill before you request the chairman of the committee to schedule hearings on same, suggested draft of private law for the relief of Yoko Takeuchi (inclosure 10) is inclosed.

Mr. Tokumura requests me to express to you his deep appreciation for your efforts in this connection.

With best wishes.

Sincerely yours,

MARY C. EASTERLING,
Attorney-Adviser.

AFFIDAVIT

I, Harry Tokumura, a resident of Florin, Calif., temporarily serving with the Armed Forces of the United States in Japan, as shop foreman, TIS Motor Pool, GHQ, FEC, APO 500, being first duly sworn on oath according to law, deposes and says:

That I was honorably discharged from the Army of the United States on the 1st day of November 1947 as evidenced by honorable discharge signed by Charles E. Dissinger, colonel, Cavalry, a photostatic copy of which honorable discharge is attached hereto and made a part hereof, together with a photostatic copy of WD AGO Form 87, Enlisted Record and Report of Separation, showing that I entered on active duty on February 1, 1945, and was honorably discharged on November 25, 1946, for the purpose of reenlistment in the Regular Army of the United States, and that I was honorably discharged from the Regular Army of the United States on November 1, 1947; that I received my discharge while stationed in Japan, and on December 20, 1950, was married to Fumiko Takeuchi, the divorced wife of Kozo Ueno, who had one child, Yoko, born March 31, 1943, copy of an extract of the family register of Fumiko Takeuchi showing her marriage to Kozo Ueno, the birth of Yoko, and her divorce from Kozo Ueno on the 2d day of June 1947, together with English translation of the extract, is attached hereto and made a part hereof, together with certificate of witness to marriage issued by the Foreign Service of the United States, American consular service, Tokyo, Japan, certifying my marriage to Fumiko Takeuchi on December 20, 1950; that the extract of family register is the recognized legal birth record in Japan; and that I have the care and custody of Yoko, who resides in my household with my wife, Fumiko, and me, and is a member of my family and is solely supported by me.

Witness my signature in Tokyo, Japan, this 25th day of July 1951.

HARRY TOKUMURA.

WITH THE ARMED FORCES OF THE UNITED STATES,
Tokyo, Japan, ss:

I, the undersigned, do hereby certify that I am an officer authorized to take acknowledgments under the provisions of article 136, Uniform Code of Military Justice; and that Harry Tokumura, known to me to be a person serving with the Armed Forces of the United States outside the continental limits thereof and a person subject to military law, personally appeared before me on this 25th day of July 1951, and I having made known to him the contents of the foregoing and attached instrument, acknowledged to me that he signed and executed the said instrument as his free and voluntary act and deed for the uses and purposes therein set forth.

And I do further certify that I am an officer of the grade, branch of service, and organization stated below, in the active service of the United States Army.

CHARLES A. NYE O1165429,
Major, JAGC, JA Section, GHQ, FEC,
Acting in Capacity of JA.

ST. LUKE'S INTERNATIONAL HOSPITAL,
Tokyo, July 26, 1951.

MEDICAL CERTIFICATE FOR FAMILY REGISTRATION

This is to certify that Miss Yoko Takeuchi, of No. 18 Kamiya-cho, Shiba, Minato-ku, Tokyo, was given a physical examination on 25th of July 1951 and determined free from infectious venereal diseases, active tuberculosis, and other major communicable diseases, and that she was found to be free from mental and physical defects and was not considered to be an idiot or an imbecile.

HIROTOSHI HASHIMOTO, M. D.

JULY 26, 1951.

To Whom It May Concern:

I have known and worked with Mr. Harry H. Tokumura, DAC, TIS GHQ FEC APO 500, for the past 2½ years; during this period our association has been one of a very close nature.

Mr. Tokumura was in the service during World War II, raising to the rank of staff sergeant, as a motor-maintenance sergeant; upon release from the service he reverted to a DAC status as an auto-mechanic supervisor and has moved up to the job of shop foreman, which he holds at the present time.

Mr. Tokumura is a very conscientious worker and his initiative and attention to detail have always been outstanding; from my past association with him I feel certain that he will be able to take care of his foster child financially and also be a very good father.

WAYNE R. HARBOUR,
Captain, Armor Motor Officer.

JULY 25, 1951.

To Whom It May Concern:

I, William F. Williams, motor sergeant, TIS Motor Pool, have known Mr. Harry H. Tokumura since he joined the TIS Motor Pool on November 4, 1947. During my association with him I have found him to be a very reliable and conscientious worker.

Mr. Tokumura is the shop foreman of this motor pool and the quality of work he puts out is very good, and ever since he joined this organization he has never received any delinquent report.

I do know that Mr. Tokumura is able to support the child and I am sure that he will be a very good foster father for the child.

WILLIAM F. WILLIAMS,
Master Sergeant RA6668182, TIS Motor Pool.

GENERAL HEADQUARTERS, FAR EAST COMMAND,
TRANSLATOR AND INTERPRETER SERVICE,
8238th Army Unit, APO 500, July 25, 1951.

To Whom It May Concern:

Mr. Harry H. Tokumura has been employed as a Department of the Army civilian by this section from November 4, 1947, to the present date. He is paid in military-payment certificates at the rate of $2.40 per hour (2,080 hours per year, $4,992).

M. G. SPARNON,
Civilian Personnel Coordinator.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4788) should be enacted.

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